THE LORD REAY MAHARASHTRA INDUSTRIAL MUSEUM ACT, 1947.

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BOMBAY ACT No. XXXII OF 1947.[1]

[THE LORD REAY MAHARASHTRA INDUSTRIAL MUSEUM ACT, 1947.]

[*5th June 1947.*]

An Act to provide for the management and maintenance of the Lord Reay Maharashtra Industrial Museum at Poona.

WHEREAS it is expedient to provide by law for the management and maintenance of the Lord Reay Maharashtra Industrial Museum at Poona and for certain other purposes hereinafter appearing; It is hereby enacted as follows :—

Preliminary.

Short title.

1. This Act may be called the Lord Reay Maharashtra Industrial Museum Act, 1947.

Definitions.

2. (*1*) " The Lord Reay Maharashtra Industrial Museum " referred to in this Act as " the Museum " means the institution known at the date of the passing of this Act by the name of the Lord Reay Industrial Museum.

(*2*) " prescribed " means prescribed by rules made under this Act.

Objects and Membership.

Aims and objects.

3. The aims and objects of the Museum shall be—

(*1*) to serve as an educative institution for the general public with a view to illustrating various branches of science and in particular their application to industry, agriculture and commerce;

(*2*) to show by means of exhibits, machines, models, pictures and charts the origin, development and modern practice of each branch of science and its application to industry, agriculture and commerce;

(*3*) to maintain a technical library including cinematographic films, lantern slides and photographs;

(*4*) to arrange, hold and undertake lectures, demonstrations and tours with a view to promoting interest in industrial development;

(*5*) to organise and help in organising industrial exhibitions;

(*6*) to organise and help in organising a commercial emporium;

(*7*) to popularise the products of industries and handicrafts of the Province of Bombay in particular and of India in general;

(*8*) to undertake and do all such works and things as may be necessary for, or conducive to, the attainment of any of the aforesaid aims and objects.

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[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1947, Part V, page 11; for Proceedings in Assembly, *see* Bombay Legislative Assembly Debates, 1947, Vol. X; and for proceedings in Council, *see* Bombay Legislative Council Debates, 1947, Vol. X.

Members.

4. (*1*) Members of the Museum shall consist of the following classes :—

(*i*) Patrons, that is to say, those who pay or have already paid Rs. 5,000 or more (in a lump sum) ;

(*ii*) Life members, that is to say, those who pay or have already paid Rs. 500 or more (in a lump sum) ;

(*iii*) Donors, that is to say, those who pay or have already paid Rs. 300 or more (in a lump sum) ;

(*iv*) Ordinary members, that is to say, those who pay Rs. 10 annually.

(*2*) No person shall be debarred from becoming a member of the Museum by reason of his religion, caste, creed or sex.

Meeting of general body of members.

5. A meeting of the general body of members shall be called by the Board every year at such time and place as may be prescribed.

Board of Trustees.

Constitution of Board.

6. (*1*) There shall be constituted for the maintenance and management of the Museum and for the other purposes of this Act a permanent Board of Trustees (in this Act referred to as " the Board "). It shall be a body corporate by the name of " the Trustees of the Lord Reay Maharashtra Industrial Museum, Poona ", with perpetual succession and a common seal, shall sue and be sued in that name and shall have power to acquire and hold property, to let on hire, lease or mortgage any immovable property vesting in it, to enter into contracts and to do all other acts necessary for and consistent with the purposes of this Act.

(*2*) The Board shall consist of—

A. (*i*) the Commissioner, Central Division ;

(*ii*) to (*v*) any four of the following officials nominated by the Government of Bombay :—

(*a*) the District and Sessions Judge, Poona ;
(*b*) the Director of Industries or his nominee ;
(*c*) the Director of Agriculture, Poona ;
(*d*) the Chief Conservator of Forests, Poona ;
(*e*) the Director of Public Instruction, Poona ;
(*f*) the Superintending Engineer, Central Circle, Poona ;
(*g*) the Registrar of Co-operative Societies and Director of Rural Development, Poona.

B. The following four ex-officio representatives of the Poona City Borough Municipality :—

(*i*) the President who shall be the Chairman,
(*ii*) the Chairman, Standing Committee,
(*iii*) the Chairman, School Board, and
(*iv*) the Chairman, Finance Committee.

C. Such number as may be prescribed of representatives of local bodies other than the Poona City Borough Municipality nominated by the local bodies on those bodies agreeing to make a contribution of such amount, each, as may be prescribed to the funds of the Museum.

D. Four representatives of the members of the Museum elected in the prescribed manner :

Provided that no ordinary member of the Museum shall be eligible to be elected a representative unless he has been such a member for not less than 3 years.

E. Two representatives of local commercial and industrial interests, one to be nominated by the Deccan Agricultural Association, Poona, and the other by the Mahratta Chamber of Commerce and Industries, Poona.

F. Two non-official representatives nominated by the Government of Bombay one from each of the following local institutes, namely :—

(1) The Ranade Economic Institute, Poona.

(2) The Gokhale School of Politics and Economics, Poona :

Provided that no representative referred to in clauses E and F of this sub-section shall be nominated until the institute concerned has paid to the funds of the Museum an affiliation fee of Rs. 300, or shall continue to be a member of the Board unless the institute pays to the said funds within the prescribed period an annual subscription of Rs. 100.

Term of office.

7. (*1*) Members of the Board other than ex-officio members shall, save as herein otherwise provided, hold office for a period of three years.

(*2*) If a member, other than an ex-officio member,—

(*a*) dies or becomes insolvent, or

(*b*) is absent from more than six consecutive meetings of the Board, or

(*c*) leaves the Province of Bombay with the intention of being absent therefrom for more than six consecutive months, or

(*d*) desires to be discharged, or

(*e*) refuses to act or becomes incapable of acting,

a new member shall be elected or nominated, as the case may be, in the same manner as was the member in whose place he is to be elected or nominated and he shall hold office for so long only as such member would have held it if the vacancy had not occurred.

Quorum.

8. (*1*) The Commissioner, Central Division, and in his absence, the District and Sessions Judge, Poona, if he is a member of the Board and in the absence of both, the Chairman of the Board, shall preside at the meetings of the Board.

(*2*) The quorum necessary for the transaction of business at a meeting of the Board shall be five.

Acts of Board not invalid by reason of vacancy, etc.

9. No act of the Board shall be deemed to be invalid merely by reason of any vacancy in, or defect in the constitution of the Board.

Property vested in Board.

10. All property whether moveable or immovable which, at the commencement of this Act, was held on trust for the purposes of the Lord Reay Industrial Museum, together with any such property which may hereafter be given, bequeathed, transferred or acquired for the said purposes, including contributions, fees and subscriptions, and property accruing as a result of the exercise of any of the Board's powers, shall vest in the Board for the purposes of the Museum.

Power of Board to lend, exchange, sell or destroy articles in collections.

11. Subject to the provisions of any rules or by-laws made in this behalf the Board may, from time to time,—

(*a*) deliver by way of loan to any person the whole or any portion of, or any article contained in, any collection vested in it under this Act;

(*b*) exchange or sell articles contained in any such collection and take or purchase, in the place of such articles, such other articles as may in its opinion be worthy of preservation in the Museum;

(*c*) present articles contained in any such collection to other museums in India or elsewhere;

(*d*) remove and destroy any article contained in any such collection:

Provided that nothing herein contained shall authorize the Board to lend, exchange, sell, present, remove or destroy any article when such lending, exchange, sale, presentation, removal or destruction, as the case may be, is precluded by the terms on which the Board may have received any such article.

Further powers of Board.

12. The Board may, if it thinks fit for the purposes of its trust under this Act—

(*1*) assume the custody and administration of collections which are not the property of the Board and keep and preserve such collections either in the Museum or elsewhere;

(*2*) subject to any rules made by the Provincial Government in this behalf, organise courses of industrial and technical instruction and afford facilities for the sale or exhibition of products of Indian industries and handicrafts.

Power of Board to borrow.

13. The Board may from time to time borrow or reborrow and take up at interest from the Central Government or the Government of Bombay or with the previous sanction of the Government of Bombay from any person, any sum necessary for the purpose of defraying any costs, charges or expenses incurred or to be incurred by them to carry out the purposes of this Act, or for the purpose of repaying either in whole or in part any sums hereafter borrowed or owing by the Board.

Power of Board to make by-laws.

14. (*1*) The Board may, from time to time, with the previous sanction of the Government of Bombay, make by-laws not inconsistent with the provisions of this Act or rules made thereunder for any purpose necessary for the execution of its trust.

(*2*) In particular and without prejudice to the generality of the foregoing powers such by-laws may provide for—

(*a*) the summoning, holding and adjournment of meetings of the Board and procedure at such meetings;

(*b*) the securing of the attendance of trustees at such meetings;

(*c*) the keeping of minutes book and account books;

(*d*) the limits up to which the Chairman and the Secretary may sanction expenditure under section 18;

(*e*) the compiling of catalogues and guide books and other publications;

(*f*) the lending of articles contained in the collections vested in the Board;

(*g*) the exchange, sale or presentation to other museums of duplicates of articles contained in such collections;

(*h*) the removal and destruction of articles contained in such collections; and

(*i*) the general management of the Museum.

Secretary and Staff.

Secretary and staff.

15. There shall be a Curator of the Museum who shall also be the Secretary to the Board. The Board shall determine the terms and conditions of his service and of such other staff as it may employ.

Officers and servants of Board to be public servants.

XLV of 1860.

16. All officers and servants employed by the Board shall be deemed to be public servants within the meaning of the Indian Penal Code:

Provided that this section shall not apply to persons in the service of any contractor employed by the Board.

Miscellaneous.

Contribution by Poona City Borough Municipality.

Bom. XVIII of 1925.

17. Notwithstanding anything contained in the Bombay Municipal Boroughs Act, 1925, the Poona City Borough Municipality shall make an annual grant of not less than Rs. 7,500 to the funds of the Museum.

Expenditure.

18. (*1*) All expenditure shall be sanctioned by the Board. The Board may from time to time authorize the Chairman and the Secretary to sanction expenditure every month up to such limits as may be determined in its by-laws. All cases of sanction by the Chairman or the Secretary shall be duly placed before the subsequent meeting of the Board for ratification.

(*2*) Every order for the payment of money shall be authenticated by the signature of the Secretary and counter-signature of the Chairman.

Audit.

19. (*1*) There shall be an annual audit of the accounts of the Museum carried out by an auditor appointed in this behalf by the Accountant General, Bombay.

(*2*) The Secretary shall furnish to the auditor an annual statement of accounts supported by the necessary vouchers and generally assist the auditor in his work.

(*3*) The auditor's report shall be placed before the Board.

Inspection of Museum.

20. The Provincial Government shall have the right to cause inspection to be made by such person or persons as it may appoint of the Museum and its buildings, library books, furniture and other equipment and, upon any recommendation made by such person or persons, to direct the Board to take such action as it may think fit.

Rules.

21. (*1*) The Provincial Government may by notification in the *Official Gazette* make rules to carry out the purposes of this Act.

(*2*) In particular and without prejudice to the generality of the foregoing power, such rules may provide for the following matters:—

(*a*) the time of the year and place at which a meeting of the general body of members shall be called under section 5;

(*b*) the number of representatives of local bodies other than the Poona City Borough Municipality, the amount of contribution to be made by them under clause C, and the manner of election of representatives of members under clause D, of sub-section (*2*) of section 6; and the period within which the annual subscription shall be paid under the proviso thereto;

(*c*) the appointment of committees of the Board and the powers which may be delegated to such committees;

(*d*) the erection of Museum buildings, the transfer of the Museum to a new site, the maintenance and management of the Museum, the exercise of the Board's powers under section 11 and sub-section (*2*) of section 12, the care and custody of the objects deposited in the Museum and the conditions under which the public shall have access to the Museum;

(*e*) the maintenance, management and disposal of any property vested in the Board and the investment and reinvestment in public securities or otherwise and the safe custody of the funds of the Museum;

(*f*) the form of accounts to be kept by the Board and the publication of such accounts;

(*g*) the application to the officers and servants employed by the Board of the rules which apply to the civil servants of the Crown or to any class of such civil servants;

(*h*) the payment of contributions at such rates and subject to such conditions as may from time to time be determined by the Board to any provident fund which may be established by the Board for the benefit of the officers and servants employed by it;

(*i*) the management of the library and reading room.

Vacation of office by existing trustees.

22. From the date of the first meeting of the Board, the existing trustees of the Lord Reay Industrial Museum shall be discharged:

Provided that nothing contained in this section shall absolve any of the said trustees from any liability accruing before that date.